

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOSEPH JERMANO, et al.,

Plaintiffs,

Case No. 13-cv-10610

v.

Hon. Matthew F. Leitman

GRACO CHILDREN'S PRODUCTS INC.

Magistrate Judge Mona K. Majzoub

Defendant.

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STIPULATED ORDER

This Matter is before the Court on a stipulated dismissal of certain of plaintiffs' claims. The Court hereby orders that:

1. The claims in Counts I, II and III (Dory Jermano) of "failure to adequately warn" are hereby dismissed pursuant to Fed.R.Civ.P. 41(a).
2. The claims in Counts I, II and III (Dory Jermano) of "manufacturing defect" are hereby dismissed pursuant to Fed.R.Civ.P. 41(a).
3. Count III of Plaintiffs' Complaint (which should actually be identified as Count IV), entitled "Dorothy Berge v. All Defendants, Negligent Infliction of Emotional Distress," is hereby dismissed pursuant to Fed.R.Civ.P. 41(a).

4. By entering into this Stipulated Order, Defendant does not waive any argument that Michigan law applies regardless of whether a claim for manufacturing defect exists in the case.


SIGNED this ~~27<sup>th</sup>~~  
26<sup>th</sup> day of May, 2015.

BY THE COURT:

  
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The Honorable Matthew F. Leitman

I hereby stipulate to entry above the above.

  
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